

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Medical & Health Department – Allegation of corruption against Sri R. Hari Prasad, Senior Steno-cum-Peshi to Superintendent, M.G.M. Hospital, Warangal at present working in Kakatiya Medical College, Warangal– Trapped by the Anti Corruption Bureau officials on 27.8.2002 –Prosecuted - Convicted in the Court of Special Judge for SPE & ACB Cases, Hyderabad –Punishment of dismissal from service – Imposed – Orders – Issued.

HEALTH, MEDICAL & FAMILY WELFARE (VC-1) DEPARTMENT

G.O.Ms.No. 37

Dated:04-02-2010
Read the following:-

1. From the Director General, Anti Corruption Bureau, Hyderabad, Lr.Rc.No. 208/RCT-WWI/2002-S5, dated .01.2003.
2. G.O.Ms.No.449, Health Medical & Family Welfare (VC.1) Department, dated 29.10.2004.
3. Judgment dated 23.12.2009 of the Prl. Spl. Judge for SPE & ACB Cases, City Civil Court, Hyderabad, in C.C. No. 19 of 2005.
4. Representation of Sri R. Hari Prasad, Senior Steno, KMC, Warangal, dt. 31.12.2009.

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ORDER:

Sri R. Hari Prasad, Senior Steno-cum-Peshi to Superintendent, MGM Hospital, Warangal was trapped by the Anti Corruption Bureau officials on 27.8.2002 when he demanded and accepted the bribe amount from the complainant for doing official favour. The Accused Officer was placed on suspension by the Director of Medical Education, pending initiation of disciplinary action. Having regard to the facts of the case and material made available, in the G.O. second read above, Government have accorded sanction for prosecution of Sri R. Hari Prasad, Senior Steno-cum-Peshi in a Court of Law for the above offences punishable under section 7, sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988.

2. The Principal Special Judge for SPE ACB Cases, City Civil Court, Hyderabad pronounced Judgment on 23.12.2009 in C.C.No. 19 of 2005, finding the Accused Officer Sri R. Hari Prasad, Sr. Steno, MGM Hospital, Warangal, guilty for the offences charged against him under Section 7 and section 13 (1)(d) read with Section 13 (2) of the P.C. Act, 1988 and convicting him under Section 248-(2) Cr.P.C. The Accused Officer was sentenced to undergo Rigorous Imprisonment for a period of 1 (one) year and sentenced to pay a fine of Rs. 1,000/- (Rupees One thousand only) in default to undergo Simple Imprisonment for a period of 3 (three) months for the offence punishable under section -7 of the Act. Further, Accused Officer is sentenced to undergo Rigorous Imprisonment for a period of 1 (one) year and sentenced to pay a fine of Rs. 1,000/- (Rupees One thousand only) in default to undergo S.I. for a period of 3 (three) months for the offence punishable under section 13 (1)(d) r/w Sec. 13 (2) of the Act. Both substantive sentences of imprisonment imposed on A.O. is ordered to be run concurrently. The Accused Officer has filed Criminal Appeal No. 1830 of 2009 against the judgment of the Trial Court. In its order dt. 30.12.2009 in CrI. M.P. No. 2933 of 2009 in CrI. Appeal No. 1830 of 2009, the Hon'ble High Court has suspended the sentence of imprisonment alone, pending disposal of the Criminal Appeal on the same terms and conditions imposed by the Trial Court.

3. In the representation fourth read above, Sri R. Hari Prasad, at present working as Senior Steno in Kakatiya Medical College, Warangal has requested to continue him in service until the outcome of the Criminal Appeal pending in the High Court.

4. Government have examined the above matter and found that the mis-conduct that lead to the conviction on the Criminal Charge on the part of Sri R. Hari Prasad, Senior Steno. The penalty that should normally be imposed in a case of proven bribery and corruption as per the first proviso of Rule 9 of A.P. Civil Services (CC&A) Rules, 1991 is dismissal or removal from service. Accordingly, and in terms of orders issued in G.O.Ms.No.2, General Administration (Services.D) Department, dt: 4-1-1999 Sri R. Hari Prasad, Senior Steno, is liable to be dismissed from service for having found guilty of the charges framed against him under section 13(2) read with section 13(1)(d) of Prevention of Corruption Act, 1988 and section 120-B, IPC and conviction. Further, in its order dated 17.11.2009, the Hon'ble High Court of A.P. in W.P. No. 8000 and Batch, affirmed the Government's power to impose punishment without waiting for decision in Criminal Appeal. Therefore, the request of the individual does not deserve any merit consideration.

5. Government therefore, in exercise of the powers conferred by the Rule-9 read with Rule 25 of the A.P. Civil Services (CC&A) Rules, 1991 hereby dismiss Sri R. Hari Prasad, Senior Steno, Kakatiya Medical College, Warangal from service with immediate effect.

6. The Director of Medical Education, A.P., shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. VIJAY KUMAR
EX-OFFICIO SECRETARY TO GOVERNMENT

To

Sri R. Hari Prasad, Senior Steno, Kakatiya Medical College,
Warangal through the Principal, Kakatiya Medical College, Warangal
The Director of Medical Education, A.P., Hyderabad.
The Principal, Kakatiya Medical College, Warangal.

Copy to:

The Director General, Anti Corruption Bureau , Hyderabad.
The Secretary to Vigilance Commissioner,
A.P. Vigilance Commission, A.P. Secretariat, Hyderabad
SF.

//FORWARDED::BY ORDER//

SECTION OFFICER